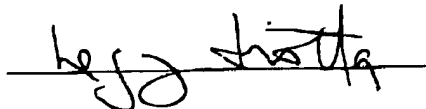


CERTIFICATE OF FACSIMILE TRANSMITTALFacsimile Number (703) 308-4556 Date of Transmission October 28, 2003

I hereby certify that this correspondence (and all other documents mentioned therein) is being transmitted by facsimile Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22330-1450, to the above facsimile number on the above-date



Atty Docket: ONYX1022-CPA

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OCT 28 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**OFFICIAL**

In re Application)	<u>PATENT APPLICATION</u>
Inventor(s): Terry Hermiston et al.)	
)	Art Unit: 1635
SC/Serial No.: 09/472,691)	
)	Examiner: Whiteman, B
Filed: December 27, 1999)	
)	Confirmation No. 9088
Title: Adenovirus ElB Shuttle Vector)	

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22330-1450

Sir:

Applicants hereby request Three (3) Month Extension of Time for the Office Action dated April 29, 2003. A shortened period for response was set to expire on July 29, 2003. With this extension, the period is re-set to expire on October 29, 2003.

The amount of the petition fee set by 37 C.F.R. §1.17 is determined as follows:

Fee Small Entity/Large EntityExtended Month☒ \$475.00/950.00

Third

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Serial No. 09/472,691
Page 2 of 2

TOTAL PETITION FEE \$475.00

The TOTAL PETITION FEE is included with the payment of other papers filed together with this petition.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 15-0615 for any matter in connection with this response, including any fee for extension of time, which may be required.

The other papers enclosed or associated with this communication include:

[X] A reply to the Office Action dated April 29, 2003

Respectfully submitted,

Date: October 28, 2003

By: 

Gregory Gioia
Reg. No. 32,028

ONYX Pharmaceuticals, Inc.
3031 Research Drive
Richmond, California 94806
Telephone (510) 262-8710

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